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REMARKS

Applicant respectfully requests reconsideration of the above-identified application in view of the foregoing amendments and following remarks.

Status of Claims

Claims 1-16 were pending in this Application. Claims 1-16 have been cancelled without prejudice to their filing in a continuation or divisional application. New claims 17-46 have been added. The amendments add no new matter.

IN-PERSON INTERVIEW

Applicants thank Examiners Fonya Long and Janice Mooneyham for granting and attending the in-person interview with Caleb Pollack, Reg. No. 37,912, and Eran Reuveni, a representative of the assignee, on May 21, 2008.

During the May 21, 2008 interview, a proposed draft claim was discussed in light of the prior art, in particular Bondarenko et al. (US 2002/0105957) and Watson et al. (US 2006/0287923). No agreement was reached regarding the proposed claim, and the Examiners provided guidance as to what claim language and claim limitations would further prosecution of the Application. Applicants appreciate this guidance, and the claims presented above have been drafted with this guidance in mind.

During the interview, the Examiners cited *Ex Parte Curry* (BPAI 2005) and *Ex Parte Mathias* (BPAI 2005), suggesting that certain limitations of the proposed claim may be "nonfunctional descriptive material." Applicants assert that a characterization of any of the presently pending or previously pending claim limitations as nonfunctional descriptive material would be inappropriate. The data which is input and output, and displayed, in the above claims (c.g., direction to a queue, customer identification, notification that an agent is ready for the customer) is functional: the method and the system have functions, which is effected, in part, by the input and output of the information. A useful result may be achieved, such as queue management, or agent management.

Per the Manual of Patent Examination and Procedure ("MPEP") § 2106.01, functional descriptive material includes data which imparts functionality when employed. A customer

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identification, for example, or customer wait information, imparts functionality, and is not a "mere arrangement of data." MPEP § 2106.01. Furthermore, the data discussed above are not mere data structures, but are, for example, inputs and outputs of a useful process.

CLAIM SUPPORT

Regarding claims 17 and 22:

Support for "accepting identification information from a plurality of customers waiting in multiple queues" can be found, for example, on page 12 of the Application as filed. Support for "interacting with a plurality of agents each providing service to a customer via a plurality of agent workstations" can be found for example on page 6, and workstations 160. Support for "providing customer wait information for each of a plurality of queues" can be found for example in Figure 5, and on page 10, of the Application. Support for a central server communicating with a plurality of devices via a network in a hardware independent manner can be found in the Abstract, on page 3 line 5, and in Fig. 1. Support for interacting with agents via a browser can be found, for example, on page 20, line 18. Support for communicating preexisting customer appointment information to a customer can be found, for example, page 12, line 23. Support for directing the customer to a specific queue if a database indicates a customer owes money to the enterprise can be found on the last paragraph of page 13.

Regarding claims 27 and 32:

Substantially all (but not all) the limitations of claims 27 and 32 are discussed in the previous paragraph. In addition, support both for marking a customer as abandoned, and for placing via the agent workstation a customer marked abandoned in a queue to wait to meet with an agent, can be found, for example, in the Specification, first paragraph of page 13.

Regarding claims 37 and 42:

Substantially all (but not all) the limitations of claims 37 and 42 are discussed in the paragraph discussing claims 17 and 22, above. In addition, support for the agent workstation transferring a customer into a queue and placing the customer on hold, the customer to be called back at a later time, can be found, for example, in the Specification, on page 10, lines 13-15.

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CLAIM REJECTIONS/NEW CLAIMS

35 U.S.C. § 112 Rejection

In the Office Action, the Examiner rejected claims 1, 10, 14 15 and 16 under 35 U.S.C. § 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has cancelled claims 1-16. Applicant respectfully submits that newly added claims 17-42 comply with 35 USC § 112 and request that this rejection be withdrawn.

35 U.S.C. § 103 Rejections/Allowability of New Claims

In the Office Action, the Examiner rejected claims 1, 3, 4, 8 and 11 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko et al. (US 2002/0105957, "Bondarenko") in view of Watson et al. (US 2006/0287923, "Watson") and in further view of Goss et al. (US 6,654,815, "Goss"). The Examiner rejected claims 2, 12 and 13 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss, and further in view of Ananian (US 2003/0028451, "Ananian"). The Examiner rejected claim 5 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss and further in view of Patel et al. (5,566,278, "Patel"). The Examiner rejected claim 6 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss and further in view of Paradise (EP 0410668, "Paradise"). The Examiner rejected claims 7, 9 and 14 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss and further in view of Petrovyks (US 2003/0231647, "Petrovyks"). The Examiner rejected claim 10 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss and further in view of Jones et al. (5,689,698, "Jones"). The Examiner rejected claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss and further in view of Thygeson et al. (6,961,418, "Thygeson"). The Examiner rejected claim 16 under 35 U.S.C. § 103(a), as being unpatentable over Bondarenko in view of Watson and Goss and further in view of Perkins (US 2002/0038309, "Perkins").

Claims 1-16 have been cancelled, and new claims 17-42 have been added. As discussed in more detail below, Applicant asserts that new claims 17-42 are allowable over

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Bondarenko, Watson and Goss, alone or in combination with Ananian, Patel, Paradise, Petrovyks, Jones, Thygeson or Perkins.

New Claims 17 and 22

Each of new claims 17 and 22 includes, *inter alia*, “communicat[ing] preexisting customer appointment information to a customer via the receptionist, and if a database indicates a customer owes money to the enterprise, direct[ing] the customer to a specific queue”. Each of claims 17 and 22 also includes a central server “accept[ing] customer information from the automated receptionist, communicat[ing] preexisting customer appointment information to a customer via the receptionist.”

Watson discloses a one-site queue management system. (Watson, para. 19). Bondarenko discloses a system allowing customers to obtain estimated wait time in a call center.

Neither of Bondarenko or Watson discloses a method or system that can, based on a customer owing money, direct the customer to a specific queue. Goss discloses a system to submit call-back requests to a call center, and does not cure the deficiencies of Watson and Bondarenko.

Watson does not disclose a queue management method or system that can process a customer with a pre-existing appointment. Integrating queue information, financial information, and appointment information can occur with a system operating “across the enterprise”, which is not a capability of Watson.

On page 14 of the Office Action the Examiner asserts that Thygeson discloses a user arrives at a reception center and approaches a kiosk. However, Thygeson discloses a telephone appointment scheduling system, and does not disclose a queue management system, or for example the limitations of directing the customer to a specific queue if money is owed.

New claim 17 also includes, *inter alia*, “at an automated receptionist, accepting identification information from a plurality of customers waiting in multiple queues, the customers waiting to meet with agents, and printing tickets for the customers”, and new claim

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22 includes, *inter alia*, "an automated receptionist to accept identification information from a plurality of customers waiting in multiple queues, the customers waiting to meet with agents, and to print tickets for the customer." Each of claims 17 and 22 also include a central server "communicat[ing] via a network with the announcer server, automated receptionist and agent workstations, the communication across the enterprise, in a hardware independent manner." None of Watson, Bondarenko, or Goss include these limitations.

Watson does not disclose accepting identification information from a customer. (E.g., Watson para. 9 and 15). Watson, a one-site system (e.g. Watson, para. 19) does not teach a system that can operate across an enterprise, in a hardware independent manner. Accepting customer identification information and working across an enterprise allows for benefits and functionality not possible with the limited one-site queue management system of Watson. Watson cannot be easily modified to include the limitation of operating across an enterprise, and does not suggest a need for the above mentioned limitations.

Bondarenko discloses a system allowing customers to obtain estimated wait time in a call center. Bondarenko does not teach a queue management system where "the customer [is] waiting to meet with an agent".

On page 12 of the Office Action, the Examiner asserts that Jones discloses inserting personal information onto a ticket. The portion of Jones to which the Examiner cites, col. 11, ll. 60-67, discusses a database client being given a virtual ticket (a computer data object) in order to access a database. This is different from, in a queue management system, a customer being given a physical ticket "wherein the ticket includes personal information", as in Applicants' pending claim 18.

None of Ananian, Patel, Paradise, Petrovyks, Jones, Thygeson or Perkins cure the deficiencies of Watson, Bondarenko, or Goss.

Thus none of Watson, Bondarenko, or Goss, alone or in combination with Ananian, Patel, Paradise, Petrovyks, Jones, Thygeson or Perkins, teaches all the elements of either of new independent claims 17 or 22.

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New Claims 27 and 32

Each of new claims 27 and 32 includes "plac[ing] a customer marked abandoned in a queue to wait to meet with an agent." None of Watson, Bondarenko, or Goss includes this limitation. Watson discloses a one-site queue management system, and does not mention the handling of abandoned customers. Bondarenko discloses a system allowing customers to obtain estimated wait time in a call center, and does not discuss the handling of abandoned customers.

While the Examiner cites Perkins, paragraph 24, as disclosing a customer abandoning a queue, Perkins does not include placing a customer marked abandoned in a queue to wait to meet with an agent.

Each of new claims 27 and 32 also includes the above discussed limitations relating to accepting identification information from customers waiting in multiple queues, the customers waiting to meet with agents, communication across an enterprise in a hardware independent manner, and communicating preexisting customer appointment information to a customer. As discussed, none of Watson, Bondarenko, Goss, Ananian, Patel, Paradise, Petrovyks, Jones, Thygeson or Perkins includes these limitations.

New Claims 37 and 42

Each of new claims 37 and 42 includes, *inter alia*, for "customers waiting in multiple queues, the customers waiting to meet with an agent ... transfer[ring] a customer into a queue and [] plac[ing] the customer on hold, the customer to be called back at a later time."

None of Watson, Bondarenko, or Goss includes this "freeze" feature (see Applicants' Specification, page 10, lines 12-15). As discussed, Watson discloses a limited queue management system, and Bondarenko discloses a limited wait-time information system. Neither of these references discusses the more advanced functionality of placing customers waiting in a queue on hold.

Each of new claims 37 and 42 also includes the above discussed limitations relating to accepting identification information from customers waiting in multiple queues, the customers waiting to meet with agents, communication across an enterprise in a hardware

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independent manner, and communicating preexisting customer appointment information to a customer. As discussed, none of Watson, Bondarenko, Goss, Ananian, Patel, Paradise, Petrovyks, Jones, Thygeson or Perkins includes these limitations.

Since, as discussed, none of Watson, Bondarenko, Goss, Ananian, Patel, Paradise, Petrovyks, Jones, Thygeson or Perkins, alone or in combination, includes all the limitations of any of new independent claims 17, 22, 27, 32 and 37, these claims are allowable over these references

Each of new claims 18-21, 23-26, 28-31, 33-36, and 38-42 depends from one of independent claims 17, 22, 27, 32 and 37, includes at least the limitations of one of these claims, and is therefore likewise allowable.

Applicants request that the Examiner withdraw the rejections under 35 U.S.C. § 103(a).

Conclusion

In view of the foregoing amendment and remarks, and for at least the reasons discussed above, Applicant respectfully submits that the claims are allowable. Their favorable reconsideration and allowance are respectfully requested.

Should the Examiner have any questions or comments as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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No fees are believed to be due associated with this paper; however, if any fees are due, please charge such fees to deposit account No. 50-3355.

Respectfully submitted,

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